

**AN ORDINANCE BY
COMMUNITY DEVELOPMENT AND HUMAN RESOURCES COMMITTEE**

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE IX, DIVISION 1, SECTION 2-910 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, ENTITLED "GRANT APPLICATIONS", SO AS TO ALTER THE GRANT APPLICATION REQUIREMENTS IMPOSED BY SUBSECTIONS 2-910(a) AND 2-910 (b) FOR GRANT APPLICATIONS FILED BY OR ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION, AND CULTURAL AFFAIRS; AND FOR OTHER PURPOSES.

WHEREAS, the Department of Parks, Recreation, and Cultural Affairs ("Department") is attempting to purchase significant quantities of additional park land, and must also maintain all of the park land and green space that it currently has and is acquiring; and

WHEREAS, the Department's budget is insufficient to fund all of these purchases and maintenance activities; and

WHEREAS, the Department is committed to increasing funding opportunities outside of the general fund. One of the primary sources of such funds is grants; and

WHEREAS, the Department would like to apply for numerous grants; and

WHEREAS, many of the grants for which the Department would like to apply have short deadlines that do not afford the Department an opportunity to get Council approval prior to applying; and

WHEREAS, requiring the Department to get Council approval prior to filing an application for each grant is cumbersome and impedes the Department's ability to file numerous applications; and

WHEREAS, Chapter 2, Article IX, Division 1, Section 2-910 of the Code of Ordinances of the City of Atlanta, Georgia ("Section 2-910"), subsection (a), requires that "any grant application which anticipates or proposes a contractual agreement that would bind the city to a particular project or contract ... shall be approved before it is filed by resolution or ordinance..."; and

WHEREAS, Section 2-910 (b) states that "Any grant application that is filed without the approval of the council shall be absolutely void and without authority."; and

WHEREAS, the Department desires that the requirements of Sections 2-910 (a) and (b) not apply to grant applications filed by or on behalf of the Department provided that, should the Department be awarded a grant, the grant may not be accepted by the City of Atlanta unless and until the acceptance of the grant is approved by Council.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:

Section 1: That the first sentence of Chapter 2, Article IX, Division I, Section 2-910 (a) of the Code of Ordinances of the City of Atlanta, Georgia, which reads:

- “(a) Any grant application which anticipates or proposes a contractual agreement that would bind the city to a particular project or contract or commit the city financially, directly or indirectly, either by a liability for a cash payment or for in-kind or noncash credits, shall be approved before it is filed by resolution or ordinance of the committee on finance of the council and subsequently by the full council as provided by section 2-941.”

is hereby amended to read as follows:

- “(a) “With the exception of grant applications filed by or on behalf of the Department of Parks, Recreation and Cultural Affairs, any grant application which anticipates or proposes a contractual agreement that would bind the city to a particular project or contract or commit the city financially, directly or indirectly, either by a liability for a cash payment or for in-kind or noncash credits, shall be approved before it is filed by resolution or ordinance of the committee on finance of the council and subsequently by the full council as provided by section 2-941.”

Section 2: That Chapter 2, Article IX, Division I, Section 2-910 (b) of the Code of Ordinances of the City of Atlanta, Georgia, which reads:

- “(b) Any grant application that is filed without the approval of the council shall be absolutely void and without authority.”

is hereby amended to read as follows:

- “(b) Any grant application that is filed by or on behalf of the Department of Parks, Recreation, and Cultural Affairs is not required to receive approval of the council prior to being filed, however the grant may not be accepted by the City of Atlanta until approved by the council. Any other grant application that is filed without the approval of the council shall be absolutely void and without authority.”

Section 3: That all ordinances and parts of ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of the conflict.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Community Development and Human Resources

Caption: AN ORDINANCE AMENDING CHAPTER 2, ARTICLE IX, DIVISION I, SECTION 2-910 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, ENTITLED "GRANT APPLICATIONS", SO AS TO ALTER THE GRANT APPLICATION REQUIREMENTS IMPOSED BY SUBSECTIONS 2-910(a) AND 2-910 (b) FOR GRANT APPLICATIONS FILED BY OR ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION, AND CULTURAL AFFAIRS, AND FOR OTHER PURPOSES.

Council Meeting Date: March 5, 2007

Requesting Dept.: Parks, Recreation and Cultural Affairs

B. To be completed by the department :

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to request authorization by the Atlanta City Council for the Mayor or her designee to apply for grants to various grant funding entities(Federal, State, local, private, foundations etc.) prior to receiving City Council approval. DPRCA is committed to increasing funding opportunities outside the general fund. DPRCA's allotted City Budget is not sufficient to fund all of the purchase and maintenance activities performed by the DPRCA and much of the DPRCA activity is financed by Grants. DPRCA applies for numerous grant applications that have often have deadlines too close to receive City Council prior to applying for the grant. This legislation would authorize DPRCA to file grant applications without getting prior approval of Finance/Executive Committee and council, thereby waiving the requirements of Code Section 2-910 for grant applications filed by the DPRCA, provided that, should DPRCA be awarded a grant, the grant may not be accepted by the City until the grant's acceptance is approved by the Finance/Executive Committee and the Atlanta City Council.

2. Please provide background information regarding this legislation.

The Department of Parks, Recreation and Cultural Affairs has been aggressively pursuing various grants opportunities to supplement its budget for increasing the green space and capital improvement to its various parks and facilities and has been the recipient of several grants for over 5m in 2006. Due to the short turn around time for these grants and in order to enable DPRCA to meet the tight applications deadlines, legislation is needed authorizing the Mayor or her designee to apply for various grants from various grant funding entities(Federal, State, local, private, foundations etc.) without getting prior approval of Finance/Executive committee and Council .

3. If Applicable/Known:

- (a) Contract Type:
- (b) Source Selection:
- (c) Bids/Proposals Due:
- (d) Invitations Issued:
- (e) Number of Bids:
- (f) Proposals Received:
- (g) Bidders/Proponents:
- (h) Term of Contract:

4. Fund Account Center: NA.

5. Source of Funds: *Example: Local Assistance Grant* Various Grant Funding entities

6. Fiscal Impact: This legislation will provide opportunity to supplement the capital improvement budget of Department of Parks Recreation and Cultural Affairs.

7. Method of Cost Recovery: NA

This Legislative Request Form Was Prepared By: Sushma K. Dersch, Office of Park Design and Debra F. Harris, Management Services Division of the Department of Parks, Recreation and Cultural Affairs

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Terry Grandison

Contact

Number: 6946

Originating Department: Parks, Recreation, and Cultural Affairs

Committee(s) of Purview: Community Development and Human Resources

Council

Deadline: 1/22/07

Committee Meeting Date(s): 2/13 - 12/14 Full Council Date: 2/19/07

Commissioner Signature [Signature]

CAPTION

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE IX, DIVISION I, SECTION 2-910 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, ENTITLED "GRANT APPLICATIONS", SO AS TO ALTER THE GRANT APPLICATION REQUIREMENTS IMPOSED BY SUBSECTIONS 2-910(a) AND 2-910 (b) FOR GRANT APPLICATIONS FILED BY OR ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION, AND CULTURAL AFFAIRS; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): No Matching Grant Funds Required

Mayor's Staff Only

Received by Mayor's Office: 1.29.07

(date)

Reviewed by: [Signature]

(date)

Submitted to Council: [Signature]

(date)